

Barb EP 115, J

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

18 MISC 182

SECURITIES AND EXCHANGE COMMISSION,

Applicant,

No. 18-mc- ()

- against -

SHAWN CARTER,

Respondent.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 5/3/18

~~RECEIVED~~ ORDER TO SHOW CAUSE

The Securities and Exchange Commission ("Commission") has applied for an order directing Respondent Shawn Carter to show cause why he should not be ordered to appear for testimony as called for by the Commission's investigative subpoena issued to him on February 23, 2018 (the "Carter Subpoena") within the next 10 days.

The Court has considered the application filed by the Commission and supporting papers and finds that the Commission has made a sufficient and proper showing in support of the relief sought in its application.

Accordingly,

I.

IT IS HEREBY ORDERED that Respondent shall appear before this Court at

/ 3:00 ~~am~~ / p.m. on May 8, 2018 in Courtroom 705 of the United States
Courthouse, 40 Foley Square ~~500 Pearl Street~~, New York, New York 10007, to show cause why the Court should not
issue an Order directing Respondent to appear for testimony before the Commission as follows:

Securities and Exchange Commission
100 F Street, NE
Washington, DC 20549

Date: May 11, 2018

Time: 9:00 A.M.

The testimony of Respondent shall continue day-to-day until completed. The Commission staff may consent in writing to another location, date, or time.

If Respondent refuses to appear on the appointed date and time, the Commission will have established a *prima facie* case of civil contempt against him, and he may be held in civil contempt for failure to comply with the Order without further notice or hearing.

II.

IT IS FURTHER ORDERED that a copy of this Order and the papers supporting the Commission's application be served upon Respondent by transmitting the papers on or before May 3, 2018 by personal service, or by email or overnight delivery service to his counsel.

III.

IT IS FURTHER ORDERED that Respondent shall file and serve any opposing papers in response to the application no later than May 7, 2018 at 10:00 a.m. ~~7:00~~ Service shall be made by delivering the papers to counsel for the Commission by email to Thomas A. Bednar at bednar@sec.gov and Kevin C. Lombardi at lombardik@sec.gov, or by overnight delivery to the aforementioned counsel at 100 F Street, NE, Mail Stop 5985, Washington, DC 20549, Tel: (202) 551-6218 or (202) 551-8753. The Commission shall file and serve any reply papers by May 8, 2018 at 10:00 a.m. ~~7:00~~ The

Commission shall serve any reply papers on Respondent by personal service or by email or overnight delivery service to his counsel.

SO ORDERED.

Dated: May 2, 2018
New York, New York

Paul S. Sandage
UNITED STATES DISTRICT JUDGE

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